



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hiroyuki Yonekawa, et al. **Examiner:** David A. Redding
Serial No: 10/768,332 **Art Unit:** 1744
Filed: January 30, 2004 **Docket:** 17414
For: GENE EXAMINING APPARATUS
AND METHOD OF DETECTING
TARGET NUCLEIC ACID USING
THE SAME **Dated:** November 18, 2005

Confirmation No.: 6530

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §§ 1.111 AND 1.143

AMENDMENT UNDER 37 C.F.R. §1.121

Sir:

In response to the Office Action dated September 21, 2005, setting forth a requirement for election of species, and in accordance with the provisions of 37 C.F.R. §§ 1.111 and 1.143, Applicants provisionally elect, with traverse, Species #2 (claims 9-14).

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 18, 2005.

Dated: November 18, 2005

Peter I. Bernstein